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**Akerman Senterfitt LLP**  
ATTORNEYS AT LAW

335 Madison Avenue  
Suite 2600  
New York, NY 10017

www.akerman.com

212 880 3800 tel 212 880 8965 fax

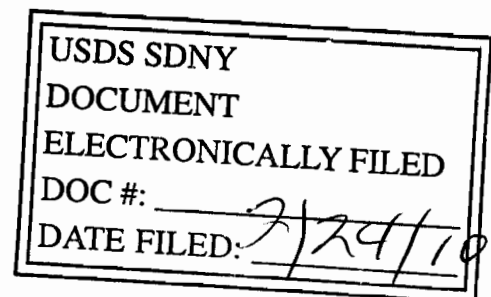
Jennifer L. Rubin  
212 880 3821 direct tel  
212 905 6448 direct fax  
jennifer.rubin@akerman.com

February 19, 2010

BY FACSIMILE (212) 805 - 7901

The Honorable Harold Baer  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

RE: **AURORA LOAN SERVICES V. SADEK**  
**CASE NO. 09-CV-9651 (HB) (JCF)**



Dear Judge Baer:

Akerman Senterfitt represents plaintiff Aurora Loan Services LLC and U.S. Bank National Association, as Trustee of Lehman XS Trust Mortgage Pass-Through Certificates, Series 2006-12N, under the Trust Agreement dated as of July 1, 2006 (**Aurora**) in the above-referenced action. For the reasons set forth below, we write to respectfully request an adjournment of the pre-trial conference on February 25, 2010 at 4:00 p.m. This is our second request to adjourn the pre-trial conference.

As background, on November 19, 2009, we filed the summons and complaint. Our process server attempted to serve defendants David Sadek (**Sadek**) and Winthrop Abstract LLC (**Winthrop**)<sup>1</sup> eleven times between November 24, 2009 and January 7, 2010 at Sadek's residence. These attempts included weekend visits and vary in time from 7:15 am to 8:55 pm. Sadek's residence is a private home and no one answered the door on any visits. Further, our process server attempted to serve defendant Winthrop on November 30, 2009 and December 22, 2009 at its principal place of business. Accordingly, on January 11, 2010, we requested that the

<sup>1</sup> Because Sadek is an officer of Winthrop, he is authorized to receive service of process on behalf of Winthrop under Fed. R. Civ. P. 4(h).

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initial conference scheduled for January 14, 2010 be adjourned, to which Your Honor adjourned to February 25, 2010.

Since January 14, 2010, we have continued to try to effectuate service on Sadek and Winthrop<sup>2</sup>. We have attempted to serve Sadek and Winthrop at Sadek's Florida residence, New Jersey Residence, and at other locations without success.

Under Fed. R. Civ. P. 4(m), our time to effectuate service expires March 19, 2010. We will continue to try to effectuate service on Sadek and Winthrop.

Accordingly, we respectfully request an adjournment of the pre-trial conference on February 25, 2010 at 4:00 p.m. to a date after March 19, 2010.

Thank you for your consideration.

Respectfully submitted,

*2/24/10 Jennifer L. Rubin*  
Jennifer L. Rubin

*adjourned March 25, 10 4:30 PM*  
SO ORDERED

*Harold Baer*  
USDS

<sup>2</sup>

We are now attempting to serve Winthrop via the Secretary of State.

Endorsement:

Adjourned to march 25, 2010 at 3:00P.M.